IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT APPEAL NO : 1110 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 16/07/2004 in WP NO : 10018 OF 2004 on the file of the High Court.)

Between:

1 R. Devidas S/o Hanumantha Rao
R/o Sadasivapet Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
2 Md. Muneeruddin S/o Naseeruddin
R/o Siddipet Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
3 M. Ramakrishna Reddy S/o narayana Reddy
R/o Dubbaka Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
4 M. Shiva Kumar S/o Kalyanayya
R/o Sangareddy Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
5 Ch. Pramod S/o Laxmaiah
R/o Mulugu Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
6 K. Suryanarayana S/o Narsimha Swamy
R/o Medak Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
7 B.Venkat Ramulu S/o Durgaiah
R/o Tekmal Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
8 B. Nagaraju S/o Laxmaiah
Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
9 K. Gayanender Saw S/o Durga Swa
R/o Jarasingam Work Inspector in the Medak District Scheduled Castes Services Coop. Society Ltd., Medak District
10 V. Jayaraj S/o Joseph
R/o Narayankhed Work Inspector in the Medak District

Scheduled Castes Services Coop. Society Ltd., Medak District
11 Md. Ansari Ali S/o Mohd. Ali
R/o Chegunta Work Inspector in the Medak District
Scheduled Castes Services Coop. Society Ltd., Medak District

..... APPELLANTS

AND

1 State of A.P. rep by Secretary, Social Welfare Department, Secretariat, Hyderabad
2 AP Scheduled Castes Co-operative Finance Corporation Ltd., rep by Managing Director, Shankshema Bhavan, Masabtank, Hyderabad
3 The District Collector, Medak District, at Sangareddy
4 The District Scheduled Castes Sdervices Co-operative Society Ltd., rep by Executive Director, Medak at Sangareddy
5 District Scheduled Castes Services Cooperative Society Ltd., rep by Executive Engineer (SW), Social Welfare Medak at Sangareddy
6 A.P. State Scheduled Caste Co-operative Finance Corporation Ltd., rep by Chief Engineer (TW),
Tribalwelfare Shankshema Bhavan, Masabtank, Hyderabad

.....RESPONDENTS

Counsel for the Appellant: MR.M.RAMA RAO

Counsel for the Respondent No.: MR.M.V.S.SURESH KUMAR

The Court made the following ORDER:

JUDGMENT: (per G.R.,J):

This writ appeal is directed against the dismissal of the writ petition No.10018 of 2004, dated 07-7-2004.

2. The second respondent herein by the communication dated 30.04.2004 addressed the third respondent, to forthwith transfer the appellants working under the control of the Executive Director, DSCSCS Limited to the Office of the Executive Engineer (SW) DSCSCS Limited, Medak, Sangareddy District.

3. Pursuant thereto, the third respondent, as the Chairman of the Medak District Scheduled Castes Services Co-operative Society Limited, repatriated the petitioners to the fifth respondent's Office and another proceedings dated 14.06.2004 was consequently issued relieving the appellants from the Office of the Executive Director, DSCSC Limited and asking them to report to the fifth respondent. The petitioners challenged their transfer to the fifth respondent's Office on various grounds.

4. The learned single Judge held that it was for the petitioners to establish in what capacity they were working with the Executive Director, DSCSC Limited, Medak. Neither before the learned single Judge nor in this appeal, any proceedings or orders were furnished on behalf of the appellants to establish in what circumstances they claim to have worked in the Executive Director's Office. Some proceedings have been placed showing the regularization of their services by the Executive Director, DSCSC Limited, Medak. The initial recruitment however was by the fourth respondent. Their claim of regularization of services is pending consideration in W.P.No.8266 of 2003. Another contention on behalf of the appellants that they are working on deputation with the Executive Director has been rightly rejected by the learned single Judge, as there was no material to show that they were deputed to the Office of the Executive Director.

5. The learned single Judge rightly concluded that the third respondent, as the Chairman of the Medak District Scheduled Castes Services Co-operative Society Limited has administrative control over the employees and as there was no work in

the office of the Executive Director, the transfer or repatriation of the petitioners to the office of the fifth respondent was impeccable and not liable to interference. We find no infirmity in the order of the learned Single Judge warranting interference by this Court.

6. The appeal is without merits and is accordingly dismissed. No costs.

J. Chelameswar,J

G. Raghuram, J

Date: 22.07.2004

va/lsk

1 The Secretary, State of A.P. Social Welfare Department, Secretariat, Hyderabad
2 The Managing Director, AP Scheduled Castes Co-operative Finance Corporation Ltd., Shankshema Bhavan, Masabtank, Hyderabad
3 The District Collector, Medak District, at Sangareddy
4 The Executive Director, District Scheduled Castes Sdervices Co-operative Society Ltd., Medak at Sangareddy
5 Executive Engineer (SW), District Scheduled Castes Services Cooperative Society Ltd., Medak at Sangareddy
6 The Chief Engineer (TW), A.P. State Scheduled Caste Co-operative Finance Corporation, Shankshema Bhavan, Masabtank, Hyderabad
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